

BILL ANALYSIS

Senate Research Center

H.B. 937
By: Maxey (Ellis)
Human Services
6/25/1999
Enrolled

DIGEST

Currently, two different state agencies administer federally-funded food service programs. The Texas Department of Human Services (DHS) administers the Summer Food Service Program. Recent federal legislation (H.R. 3874) requires a state agency that administers any combination of child nutrition programs to maintain a single application and reimbursement procedure for all of the programs. This bill will require the development and implementation of an outreach program to promote the summer food services program.

PURPOSE

As enrolled, H.B. 937 establishes provisions regarding the operation of certain food programs administered by the Texas Department of Human Services.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 33.024, Human Resources Code, by adding Subsections (k)-(m), as follows: Requires the Department of Human Services (DHS) to develop and implement an outreach program (program) to increase participation in the summer program if funds are appropriated or otherwise made available for that purpose. Requires DHS to design the program to increase participation of children from low-income families and the number of summer programs offered across this state; encourage school districts (districts) and public and private nonprofit agencies to form partnerships to develop summer programs that combine educational activities; and promote any other goal established by DHS relating to increased participation in the summer program. Provides that the program required by Subsection (k) must target communities and schools with the highest percentage of eligible children and include presentations to public schools, public entities, and private nonprofit agencies eligible for program participation; dissemination of information regarding eligibility requirements and application procedures; continual support and technical assistance to existing programs; and public service announcements publicizing the summer program. Requires DHS to administer a grant program designed to encourage eligible organizations to serve as local sponsors or meal preparation sites for the summer program by awarding a financial supplement for each meal served from funds appropriated or otherwise made available for that purpose.

SECTION 2. Amends Chapter 33, Human Resources Code, by adding Section 33.026, as follows:

Sec. 33.026. CHILD AND ADULT CARE FOOD PROGRAM: REQUIRED NOTICES AND ADVISORY COMMITTEE AUTHORITY. Requires DHS, before adopting or changing DHS rule or policy relating to the federal Child and Adult Care Food Program(CACFP), to submit the proposed action to DHS' advisory committee on that program for comment, unless immediate action is required by federal law, in which case DHS is required to submit the action for comment at the earliest possible date. Requires DHS to provide written notice to each sponsoring organization of any modification or clarification of DHS rules or policies relating to the federal CACFP. Provides that notice provided through electronic mail is considered to be written notice for purposes of this subsection. Authorizes DHS' advisory committee on the federal CACFP to conduct public hearings in accordance with departmental procedures, refer issues relating to the CACFP to the Texas Board of Human Services for discussion, and recommend modifications to DHS training programs for sponsoring organizations and other persons participating in the

program.

SECTION 3. Amends Chapter 33, Human Resources Code, by adding Section 33.027, as follows:

Sec. 33.027. CHILD AND ADULT CARE FOOD PROGRAM: ELECTRONIC FILING. Requires DHS, in administering the federal CACFP, unless prohibited by federal law, to permit a sponsoring organization or other person participating in the program to submit applications and other required information to DHS in an electronic format or through the use of electronically produced forms. Authorizes DHS to implement Subsection (a) by developing necessary computer systems or by using computer systems developed or made available for that purpose by a sponsoring organization or other appropriate person.

SECTION 4. Effective date: September 1, 1999, with the exception of SECTION 3 of this Act, which takes effect January 1, 2001.

SECTION 5. Emergency clause.